

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KLAUBER BROTHERS, INC.,

Plaintiff,

- against -

WALMART INC., et al.,

Defendants.

ORDER

22 Civ. 8087 (PGG)

PAUL G. GARDEPHE, U.S.D.J.:

The Court having been advised that all claims asserted herein against Defendant Walmart Inc. have been settled (see Dkt. No. 18), it is ORDERED that Plaintiff's claims against Walmart be, and hereby are, dismissed with prejudice but without costs; provided, however, that if the settlement is not consummated within forty-five days of this order, either party may apply by letter within the forty-five-day period for restoration of Walmart as a Defendant, in which event Walmart will be restored as a Defendant. As to Walmart only, any pending dates and deadlines are adjourned sine die, and any pending motions are moot. The Clerk of Court is directed not to close the case.

Plaintiff will file an amended complaint by **February 1, 2023**. The conference scheduled for January 19, 2023 is adjourned to **March 2, 2023 at 10:00 a.m.**

Dated: New York, New York
January 18, 2023

SO ORDERED.



Paul G. Gardephe
United States District Judge